

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 10/561,937
Applicant: Pavel Bokov et al.
Filed: June 20, 2006
Title: METHOD OF IMPROVING THE SAFETY OF ACCELERATOR
COUPLED HYBRID NUCLEAR SYSTEMS, AND DEVICE FOR
IMPLEMENTING SAME
TC/A.U.: 3663
Examiner: Vadim Dudnikov
Confirmation No.: 2961
Docket No.: GRY-142US

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

This is in response to the Restriction Requirement stated in the Office Letter dated **August 28, 2007**.

The Examiner requires election between species (1) and (2)

- (1) Neutron generation by a proton beam (claims 16, 17, 21, 22); and
- (2) Neutron generation by an electron beam (claim 18).

If Species (1) is elected, the examiner requires a further election between subspecies (A) and (B):

- (A) Spallation target with buffer (claim 22); and
- (B) Spallation target without buffer (claim 21).

The examiner indicates that claims 13 and 19 are generic.

Responsive to the Restriction requirement, Applicants elects claims 13-17, 19-21 and 23. This election is made with traverse.

Specifically, Applicants traverses the requirement to make an election between the subspecies (A) and (B). The subject application is a National Phase application of a PCT application and, thus, is governed by the PCT Unity of Invention rules. According to these rules, "[i]f the independent claims avoid the prior art and satisfy the requirement of unity of invention, no problem of lack of unity arises in respect of any claims that depend on the independent claims. In particular, it does

not matter if a dependent claim itself contains a further invention." (See MPEP § 1850). Claim 22 is a dependent claim which depends from claim 21 which, in turn, depends from claim 19. Thus, if claim 19 satisfies Unity of Invention, claim 22 must also satisfy Unity of Invention. Accordingly, Applicant requests that the requirement to elect between subspecies (A) and (B) be withdrawn and that claim 22 be rejoined to the elected claims 13-17 and 19-21 and 23.

Respectfully submitted,



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KNN/pb

Dated: September 27, 2007

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